



# House of Representatives

General Assembly

**File No. 86**

February Session, 2006

House Bill No. 5450

*House of Representatives, March 22, 2006*

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT MONITORING BOUNDARIES OF DEPARTMENT OF ENVIRONMENTAL PROTECTION ADMINISTERED LAND.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-24a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) The Commissioner of Environmental Protection shall cause the  
4 boundary lines of all state parks and forest lands under the  
5 administration of the Department of Environmental Protection to be  
6 surveyed not later than July 1, 1984.

7 (b) The commissioner shall monitor the boundary lines of all state  
8 parks and forest lands under the administration of the Department of  
9 Environmental Protection and shall record, in writing, all observed  
10 encroachments on such lands. The commissioner shall include  
11 information regarding such encroachments in his or her annual report  
12 submitted to the General Assembly pursuant to subsection (b) of  
13 section 23-8.

14     (c) The commissioner shall take reasonable and appropriate action  
15     to eliminate the encroachments recorded pursuant to subsection (b) of  
16     this section and shall seek compensation from responsible parties in  
17     amounts sufficient to restore each parcel of land to the condition it was  
18     in prior to the encroachment.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2006	23-24a
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**ENV**     *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Environmental Protection	GF - Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill requires the Department of Environmental Protection (DEP) to monitor boundary lines of state park and forest lands and record all observed encroachments. The legislation is not specific in the actual duties that would need to be carried out. To the extent that the DEP would need to constantly monitor and survey all of the DEP administered land, a minimum of 3 Environmental Protection Field Engineering Aides at a cost of \$125,000<sup>1</sup> plus fringe benefits and other expenses including vehicles and supplies at a cost of \$23,500 for a total FY 07 cost of \$148,500.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate as a percentage of payroll is 23.6%, effective July 1, 2005. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2005-06 fringe benefit rate is 34.7%, which when combined with the non pension fringe benefit rate would total 58.3%.

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**OLR Bill Analysis**  
**HB 5450**

***AN ACT MONITORING BOUNDARIES OF DEPARTMENT OF ENVIRONMENTAL PROTECTION ADMINISTERED LAND.***

**SUMMARY:**

This bill requires the environmental protection commissioner to monitor the boundary lines of state park and forest lands she administers and record in writing all encroachments she observes. She must (1) take reasonable and appropriate action to eliminate the encroachments and (2) seek compensation from responsible parties in amounts sufficient to restore each parcel of land to the condition it was in before the encroachment occurred. She must include information on the encroachments in her annual reports to the legislature on state open space lands.

EFFECTIVE DATE: October 1, 2006

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 25 Nay 0 (03/08/2006)